

**IN THE DRAWINGS**

***Amendment to the Drawings:***

The attached replacement sheet contains a new Figure 4 that corrects a minor typographical error noted in the drawings. Specifically, the term, "PARSING" at 420 is incorrectly shown in the original drawings as "PASSING."

## **REMARKS**

This Amendment is submitted in response to the Office Action of May 19, 2006 (hereinafter "the Office Action"). Upon entry of this Amendment, claims 2-4, 7, and 10-21 will be canceled without prejudice, claims 1, 5, 6, 8, and 9 amended, and new claims 21-24 submitted. Therefore, claims 1, 5, 6, 8, 9, and 22-24 will be pending, including newly submitted claims.

All references to the claims, except as noted, will be made with reference to the claim list above beginning on page 2. All references to "the Office Action," except as noted, will be referencing the most recent Office Action dated May 19, 2006. Line numbers in the Office Action, except as noted, will count every printed line, except the page header, but including section headings. If there is any confusion or questions regarding any aspect of this Amendment, the Examiner is invited to contact the undersigned.

### ***Amendment***

Figure 4 is amended to correct the word, "PARSING" at 420, which incorrectly reads, "PASSING." Support for this change is found paragraph 35.

The claims are amended to generally clarify various aspects of the invention. Claim 1 was amended to add that the compiled document type definition is executable program code and that the verifying comprises executing the compiled DTD. Support for these limitations can be found in paragraphs 26 and 35. Support for similar changes to claim 5 are likewise found in paragraph 35. Claim 1 is also amended to state that the verifying generates one of a verified XML output or an error. Support for this amendment is provided in paragraph 28. Claim 6 is amended for consistency with amended depended-upon claims and claims 8 and 9 are amended to correct an antecedent basis error. New claims 22-24 are directed to a machine readable medium, and largely parallel claims 1, 8 and 9. No new matter has been entered by this Amendment.

### ***Rejections - 35 U.S.C. §101***

Claims 1-15 stand rejected under 35 U.S.C. §101 for being directed to non-statutory subject matter. Applicant respectfully traverses. The Office Action appears to suggest that claim 1 fails to cite an invention that produces a tangible result because "[t]he method step

could be done by a person as a mental step and does not require the use of hardware to accomplish the step” (page 2, lines 14-19). Applicant respectfully refers to the “Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility” 1300 OG 142, Annex III.c.(i) “The Mental Step Test” which states that, “it is immaterial whether some or all the steps could be carried out by the human mind.” With regard to claims 10-15, these claims are canceled without prejudice by the present Amendment thereby obviating this rejection as it pertains to claims 10-15.

***Rejections - 35 U.S.C. § 102(e)***

Claims 1, 10, and 16 stand rejected under 35 U.S.C. § 102(e) for being anticipated by U.S. Patent Application Publication 2004/002952 filed by Lee et al., (hereinafter, “Lee”). Applicant respectfully traverses because Lee does not show all the claim features set forth in the claims.

Initially, it is noted that Lee does not teach a compiled document type definition (DTD) as provided for by the claims. Rather, Lee relates to the existing method for small hand held devices that entails accessing an external XML validator. There is no mention in Lee of a compiled DTD. Since Lee does not mention a compiled DTD, the claims are not anticipated.

***Rejections - 35 U.S.C. § 103(a)***

Claims 2-9, 11-15, and 17-21 stand rejected under 35 U.S.C. § 103(a) for being unpatentable over Lee in view of U.S. Patent Application Publication 2001/0054172 by Tuatini (hereinafter, “Tuatini”). Applicant respectfully traverses because the Prior art does not teach or suggest each claimed element. Specifically, Tuatini does not overcome the deficiencies of Lee in that Tuatini does not mention a compiled DTD or any analogue thereof. Tuatini is directed to a schema compiler that inputs an XML DTD and generates a class definition for each element specified by a DTD (paragraph 11, lines 2, 3, 26, and 27; paragraph 12, lines 1 and 2). In addition, the schema compiler generates serialization and de-serialization code, as well as validation logic that receives an object of a class definition and outputs an indication as to whether the object is valid (paragraph 12, lines 9-10 and 17-20). Tuatini does not mention a compiled DTD for verifying an XML document. Since neither Lee nor Tuatini teach or suggest each of the limitation set forth in the claims, Applicant

respectfully submits that the presently claimed invention is not obvious under 35 U.S.C. § 103(a).

Applicants respectfully submit that the present Application is now in condition for allowance. A Notice of Allowance is therefore respectfully requested.

If the Examiner has any questions concerning the present amendment, the Examiner is kindly requested to contact the undersigned at (408) 774-6933. If any other fees are due in connection with filing this amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. SUNMP365). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,  
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